REMARKS

Claims 1-2, 4, and 6-58 remain in the application. Claims 3 and 5 have been cancelled, without prejudice or disclaimer, and claims 1-2, 4, 6-12, 24, 29, 32, and 39 have been amended hereby.

The present amendment is submitted with a Request for Continued Examination under 37 CFR § 1.114. The claims have been carefully reviewed and amended with particular attention to the points raised in the Office Action of April 6, 2004 (hereinafter ''Office Action'').

It is submitted that no new matter has been added and no new issues have been raised by the present amendment.

Reconsideration is respectfully requested of the rejection of claims 1-58 under 35 USC § 103(a), as allegedly being unpatentable over U.S. Patent No. 4,855,730 (Venners et al.).

Applicants have carefully considered the Examiner's comments and the cited reference, and respectfully submit that claims 1-2, 4, and 6-58 are patentably distinct over the cited reference for at least the following reasons.

The present invention relates to a communication method and apparatus for use in performing data communication among devices connected by an IEEE 1394 bus. An input device receives stream data from an output device connected to a network. The output device may transmit a command to set the input device such that the input device may input the data in an input section of the input device. In response to the command, data may be prepared that indicate that the input setting is at least temporarily disabled. When the device

that transmitted the command receives the response data indicating the disabled state corresponding processing may be executed, allowing determination of whether the input device is ready to receive input stream data.

Venners et al., as understood by Applicants, relates to a component audio/video system that includes a system controller having an input/output port adapted for connection via a bidirectional data bus to a plurality of peripheral audio/video devices. At times determined by a system master clock the controller transmits user-programmed sequences of commands at user-specified times to selected peripheral devices for controlling the operating modes thereof via the bidirectional bus. After transmission of a command of a sequence, the controller monitors the bus to detect a received return status message from the selected device and in response to the received message selectively re-transmits the last command, interrupts the transmission, and transmits a further command in the sequence.

The Office Action further cites U.S. Patent No. 6,466,971 (Humpleman et al.) as allegedly disclosing unspecified background elements of the present invention (see Office Action, pp. 3-6).

Humpleman et al., as understood by Applicants, relates to a method and system for command and control among a plurality of devices via a network. The method includes the steps of connecting a first device to the network, connecting a second device to the network, where the second device stores application interface description data in a structured format for commanding and controlling the second device by other

network devices, providing the application interface description data to the first device over the network, and sending control and command data from the first device to the second device over the network utilizing the application interface description data to control the operation of the second device.

The Office Action cites col. 5, lns. 14-50 of Venners et al. as allegedly disclosing, inter alia, ''[c]ommunication control means for detecting a command received at said input and output means to enable the input and output means to receive stream data from a predetermined apparatus ...'' (see Office Action, p. 4, lns. 1-6). Applicants respectfully disagree.

As understood by Applicants, Venners et al. is directed to a component audio/video system including a television receiver, an audio amplifier, a compact disc (CD) player, an audio tape recorder, an AM/FM receiver, a video cassette player, and a video disc player (see Venners et al., col. 3, lns. 25-43).

The audio/video devices are coupled to form a system by means of a component audio/video bus that includes a bidirectional data bus, a video bus, and left and right channel audio buses (see id., lns. 29-34). The audio/video inputs and outputs of the above devices are coupled to the audio and video bus conductors by means of switches (see id., lns. 44-47).

Overall control of the switches of Venners et al. and selection of operating modes of the audio/video devices are controlled by a system controller (see id., col. 4, lns. 21-

26). The system controller includes a microprocessor, memory, a master system clock, and a remote control receiver (see id.).

The user of the system of Venners et al. sends device selection and operating mode control command information to the system controller by operating the remote control unit, which in turn transmits the commands to a selected audio/video device (see id., lns. 45-50).

As understood by Applicants, the section of Venners et al. cited by the Office Action relates to resolving potential conflicts between an operating mode of a selected device and a command by coordinating transmission of sequences of commands with the operating mode of the device (see id., col. 5, lns. 14-50).

In performing this conflict resolution, the controller of Venners et al. monitors the bidirectional data bus to detect a received return status message from a selected device after the transmission of a command sequence (see id.). In response to the received status message the controller selectively retransmits the last command, interrupts the command transmission, or transmits a further command of the sequence (see id.).

As understood by Applicants, referring to Fig. 1 of Venners et al., the system controller (element 60) is distinct from the plural peripheral devices including the audio amplifier (element 12), AM/FM tuner (element 18), and audio tape recorder (element 16). The controller is connected to the peripheral devices by the plural buses, via an input/output port (element 70) and switch (element 40).

In the system of Venners et al., as understood by Applicants, the system controller receives selection and operating mode control information from the user, monitors the bidirectional bus for status messages from selected devices, and performs further steps based on the received status messages. That is, the system controller receives the information from the user, and sends it to the selected devices.

As stated in Venners et al., ''... the user sends device selection and operating mode control command information to system controller 60 by depressing keys on remote control unit 68 which, in turn, transmits the commands to a selected peripheral audio/video device (12-24).'' (see id., col. 4, lns. 45-50)(emphasis added).

As further stated in Venners et al., ''... the program flow charted in FIG. 2 avoids such potential conflicts by causing the controller 60 to monitor the bidirectional bus 32 to detect a received return status message from a selected device after the transmission of a command sequence'' (see id., col. 5, lns. 22-26)(emphasis added).

Additionally, Venners et al. states ''[i]n operation, the user stores his desired starting time, device selection and a sequence of device commands in the RAM portion of memory 62 by depressing appropriate keys on remote control unit 68. When the time provided by clock 64 matches the schedule time stored by the user in memory 62 controller 60 fetches the command sequence from ROM and transmits the first command of the sequence. Controller 60 then enters a RECEIVE mode monitoring bidirectional bus 32 for a WAIT status message from the

selected peripheral device'' (see id., col. 5, lns. 30-50)(emphasis added).

In contrast, in the presently claimed invention the data receiving section configuration command is sent by the data source apparatus, and the response is received by the data apparatus that transmitted the command.

As recited in independent claim 1, a command is sent from one of the source apparatus and an other apparatus to request that the sink apparatus enable a data receiving section, a response to the command is sent from the sink apparatus indicating at least a temporarily disabled configuration of the data receiving section, and processing is executed when the apparatus that transmitted the command receives the response.

That is, as understood by Applicants, the system controller of Venners et al. receives information from the user, transmits the information to a selected peripheral audio/video device, and monitors the bidirectional bus for status messages from the devices, whereas in the present invention a configuration command is sent by the data source apparatus and the response is received by the apparatus that transmitted the command.

Additionally, as understood by Applicants, the system controller of Venners et al. transmits only the sequence of device commands to the selected components (see id., col. 5, lns. 30-50).

In contrast, the command sent from the source apparatus of the present invention is a request for the sink apparatus to enable its data input section (see specification of the

present application, p. 6, lns. 14-23).

Furthermore, it is submitted that Humpleman et al. does not disclose or suggest sending a command from the source apparatus to request that the sink apparatus enable a data receiving section, sending a response to the command from the sink apparatus indicating at least a temporarily disabled configuration of the data receiving section, and execution of processing when the apparatus that transmitted the command receives the response data.

It is respectfully submitted that Venners et al., either alone or in combination with Humpleman et al., does not disclose or suggest a communication method in which a sink apparatus connected to a predetermined network receives stream data via the network sent from a source apparatus connected to the network, comprising the steps of sending a command to the sink apparatus from one of the source apparatus and an other apparatus connected to the network to request that the sink apparatus enable a stream data receiving section of the sink apparatus to receive the stream data sent from the source apparatus, preparing a response to the command from the sink apparatus indicating that a configuration of the data receiving section is at least temporarily disabled when the sink apparatus receives said command, and executing corresponding processing when the apparatus that transmitted the command receives the response data indicating that the configuration of the data receiving section is at least temporarily disabled.

Accordingly, for the above-stated reasons, it is respectfully submitted that amended independent claim 1, and

the claims depending therefrom, are patentably distinct over the cited references. Independent claims 11, 24, 29, 32, 39, 57, and 58, and the claims depending therefrom, are believed to be patentable over the cited art for at least similar reasons.

Additionally, it is respectfully submitted that there is no motivation in the cited references to combine the elements in the manner indicated in the Office Action.

Withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

Furthermore, Applicants note the provisions regarding finality of actions set forth in MPEP § 706.07(a), which states in part: ''[a] second or any subsequent action on the merits in any application ... should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed. (citation omitted) For example, one would reasonably expect that a rejection under 35 U.S.C. 112 for the reason of incompleteness would be replied to by an amendment supplying the omitted element.''

It is respectfully submitted that the rejections set forth in the Office Action of April 6, 2004 are based on prior art not previously of record.

The Office Action of October 3, 2003 did not include a PTO-892 Notice of References cited, and did not cite the references cited in the Office Action of April 6, 2004.

Furthermore, it is submitted that the amendments to the claims set forth in the amendment filed December 17, 2003 were made in response to a rejection under 35 U.S.C. § 112, second

paragraph, set forth in the Office Action of October 3, 2003. The amendments of December 17, 2003 were made for clarification and distinction of the invention, and therefore did not necessitate a new ground of rejection, as stated in the Office Action of April 6, 2004 (see Office Action of April 6, 2004, p. 6, lns. 14-17).

Should the Examiner disagree, it is respectfully requested that the Examiner specify where in the cited document there is a basis for such disagreement.

The references cited as of interest have been reviewed, but are not seen to show or suggest the present invention as recited in the claims.

The Office is hereby authorized to charge any fees which may be required in connection with this amendment and to credit any overpayment to Deposit Account No. 03-3125.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
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